

**CITY OF PROVIDENCE
PUBLIC NOTICE
ZONING BOARD OF REVIEW
190 DYER STREET
PROVIDENCE, RHODE ISLAND 02903
JUNE 26, 2007**

Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall on Tuesday, July 10, 2007 at 5:30 P.M. and 7:00 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:

5:30 P.M.

The following members heard and continued the following matter for further details:

KELLY, STROTHER, VARIN, WOLF, EGAN & UNDERWOOD

**ARCESE REALTY, OWNER AND JAMES HALL, SONA LLC,
APPLICANT: 178 Atwells Avenue & 142 Dean Street, Lots 335
& 336 on the Tax Assessor's Plat 26 located in a General Commercial
C-2 Zone; to be relieved from Sections 401.1 and 703.2 relating to
outdoor seating, whereby the existing restaurant/bar has 62 indoor**

seats which would allow an additional 15.5 outdoor seats. The applicant proposes an additional 40 outdoor seats. Further, the applicant is requesting a special use permit to establish entertainment within the building. This proposal requires 7 on-site parking spaces, which cannot be provided, a dimensional variance. The lots in question together total approximately 3,526 square feet of land area.

SINA LY SINN: 185 Messer Street, Lot 132 on the Tax Assessor's Plat 37 located in a Residential R-3 Three-Family Zone and the Armory Historic District; to be relieved from Sections 201.5, 201.7, 201.8, 202.4, 303-use code 57, 304 & 703.2 in the proposed construction of a 15' x 40' addition to the existing convenience store/market. The applicant is requesting a use variance for the expansion of the use in this R-3 district and a dimensional variance relating to the rear yard set back requirement. The lot in question contains approximately 4,800 square feet of land area.

CITY OF PROVIDENCE/PROVIDENCE HEAD START: 99 Berkshire Street, 102 & 106 Berkshire Street, Lots 565, 518 & 519 on the Tax Assessor's Plat 70 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 201.5, 201.6, 201.8A, 425.1, 425.2C and 303-Use Codes 26.2 & 64.1 pursuant to Section 200 in the proposed alteration of the second floor of the existing day care facility (99 Berkshire St.) that would be used for administrative offices relating to the existing daycare. Further, the applicant is requesting the

utilization of lots 519 & 518 (102 & 106 Berkshire Street) for parking to support the daycare facility and administrative offices located at 99 Berkshire Street. The applicant is requesting a use variance for the expansion of office space and also to provide non-contiguous accessory parking.

CITY OF PROVIDENCE/PROVIDENCE HEAD START: 99 Donelson Street & 108 Suffolk Street, Lots 574 & 451 on the Tax Assessor's Plat 70 located in a Residential R-3 Zone; to be relieved from Sections 201.8A, 425.1 and 425.2C in the proposed utilization of said lots for parking to support the daycare facility and administrative offices located at 99 Berkshire Street (Plat 70, Lot 565). The applicant is requesting a use variance to provide non-contiguous accessory parking.

ACELIA & ISAIAS L. TERRERO: 1137 Broad Street, Lots 196 & 197 on the Tax Assessor's Plat 53 located in a General Commercial C-2 Zone and the Commercial Corridor Overlay District. The applicant has filed an application requesting a special use permit pursuant to Section 303-use code 58 in the proposed inclusion of entertainment within the existing restaurant and function facility. The lots in question contain approximately 10,792 square feet of land area.

7:00 P.M.

IMMORTAL LAND DEVELOPMENT, LLC, OWNER, AND CELLCO PARTNERSHIP D/BA VERIZON WIRELESS, APPLICANT: 1117

Douglas Avenue, Lots 370, 378, 379, 380, 381, 382 and 392 on the Tax Assessor's Plat 78 located in an Industrial M-1 Zone; to be relieved from Section 305 in the proposed installation of twelve (12) panel antennas to the façade of the existing smokestack. The current legal use of the property is manufacturing. The antennas are permitted within this industrial M-1 zone. The applicant is requesting a dimensional variance relating to the height restriction, whereby the permitted height within this M-1 district is 75 feet, the existing smokestack sits at a height of 124'10", and the antennas would be installed at a height to 96 feet measured from grade to the peak of the proposed antenna installation. The lots in question contain approximately 132,919 sq. ft. of land area. The majority of the lots site in the Town of North Providence; the smokestack is anchored in Providence.

CENTRAL CONGREGATIONAL CHURCH, OWNER AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS: 296 Angell Street, Lot 127 on the Tax Assessor's Plat 11 located in a Residential R-1 Zone and the Stimson Avenue Historic District. The applicant has filed an application requesting a special use permit pursuant to Section 303-use code 65.1 in the proposed installation of 12 telecommunication antennas within the existing church steeple. Related equipment would be installed within the church structure. The lot in question contains approximately 43,089 square feet of land area.

KEVIN HOPKINS: 12-14 & 16-18 Carder Street, Lots 275, 276 & 277 on the Tax Assessor's Plat 78 located in a Residential R-G General Residence Zone; to be relieved from Sections 105.3, 204.2 and 304 in the proposed reconfiguration of the existing 3 substandard lots (each containing 3,200 square feet of land area) into 2 new lots. One new lot would contain 4,800 square feet of land area upon which the existing two-family dwelling would remain at 12-14 Carder Street. A second new lot would contain 4,800-sq. ft. of land area upon which a new 41' x 30' two-family structure would be constructed at 16-18 Carder Street. Both new lots would be provided with approximately 60 feet of frontage. The applicant is requesting a dimensional variance regarding regulations governing merger of substandard lots of record and lot size, whereby the lot area provisions require that each new lot contain 5,000 square feet of land area and 50 feet of frontage. The lots in question contain a total of approximately 9,600 square feet of land area.

PROVIDENCE ART CLUB: 7, 9 & 10 Thomas Street, Lots 52, 53 & 481 on the Tax Assessor's Plat 10 located in a General Commercial C-2 Zone and the College Hill Historic District; to be relieved from Sections 205, 205.1, 700 and 703.2 in the proposed demolition of a portion of the building and rebuild same and construct a 2-story, 4,087 square foot addition to the existing art gallery (with ancillary uses), which would expand an existing kitchen on the first floor and add classroom space on the second floor. The existing use is permitted as of right within this C-2 district. The applicant is requesting a dimensional variance in order to expand the existing

structure, which is nonconforming by dimension. Further, the applicant is seeking relief from the parking requirement, whereby the subject property is nonconforming by 58 parking spaces. The proposed construction requires 62 parking spaces, however, there is no on-site space available for parking. The lots in question contain approximately 12,600 square feet of land area.

The Board will meet as an Appellate Board concerning the following matter regarding a decision rendered by the Director of the Department of Inspection and Standards:

**APPEAL FROM THE DECISION OF THE DIRECTOR OF THE
DEPARTMENT OF INSPECTION AND STANDARDS:**

Appellant: Anastasia Williams

Property Owner: Anastasia Williams

Subject Property: 32 Hammond Street, also known as the Tax Assessor's Plat 32, Lot 590 (formerly lot 305) located within a Residential R-3 Three-Family Zone. The Director has determined that a bulkhead has been constructed in violation of Section 304 of the Zoning Ordinance (regulation governing rear yard setback), in violation of the Board's decision under Resolution No. 8120 dated February 2, 1998, and in violation of Permit No. 1255 dated March 26, 1998. The Appellant contends that said bulkhead was constructed in accordance with City regulations. This appeal is taken pursuant to Section 902.1 of the Zoning Ordinance.

THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.

THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.

ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRECTION DE LA JUNTA DE REVISIONES DE ZONA.

LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.

**PETER D. CARNEVALE, SECRETARY
(401) 421-7740 EXT. 376**